

EDUCATION DEPARTMENT[281]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby proposes to rescind Chapter 19, "Attendance Centers," Iowa Administrative Code.

The Iowa Supreme Court recently ruled that this chapter of rules is void. See Wallace, et al., v. Iowa State Board of Education, No. 07-0943 (Iowa Supreme Court; July 31, 2009). The rules in Chapter 19, having been declared void, should be rescinded.

An agencywide waiver provision is provided in 281—Chapter 4.

Interested individuals may make written comments on the proposed amendment on or before October 27, 2009, at 4:30 p.m. Comments on the proposed amendment should be directed to Carol Greta, Attorney, Iowa Department of Education, Second Floor, Grimes State Office Building, 400 East 14th Street, Des Moines, Iowa 50319-0146; telephone (515)281-8661; E-mail carol.greta@iowa.gov; or fax (515)281-4122.

This amendment is intended to implement Iowa Code section 256.7(5).

The following amendment is proposed.

Rescind and reserve **281—Chapter 19**.